

EMERGENCY COMMISSION MEETING
Minutes
Thursday, March 2, 2006

A meeting of the Emergency Commission was held on Thursday, March 2, 2006, in the Governor's Conference Room. Present in the conference room were Governor John Hoeven, Senator Bob Stenehjem, Representative Rick Berg, Senator Ray Holmberg, and Secretary of State Al Jaeger. Participating via telephone conference was Representative Ken Svedjan. Governor Hoeven called the meeting to order at 2:06 p.m.

Consideration of Recommendations from Centers of Excellence Commission

The following requests were submitted according to the provisions of N.D.C.C. § 15-69-02(2), (2005 Session Laws, Chapter 151):

“A commission funding award recommendation must be for a specified amount. Designation of a center occurs upon board, foundation, and budget section approval of a commission funding award recommendation. In considering whether to designate a center, the board, foundation, and budget section may not modify the commission recommendation. The budget section may not make a determination of whether to approve or reject a commission funding award recommendation until the emergency commission reviews the commission recommendation and makes a recommendation to the budget section.” (underlined emphasis added)

1. Centers of Excellence Commission * (Request # 1582)

University of North Dakota Research Foundation – Life Sciences and Advanced Technologies
\$3,500,000

Senator Holmberg moved to recommend to the Budget Section. Secretary Jaeger seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Holmberg, and Hoeven. Voting nay was Berg. Motion carried.

2. Centers of Excellence Commission * (Request # 1583)

University of North Dakota – Unmanned Aerial Vehicle and Simulation Applications, \$1,000,000

Representative Berg moved to recommend to the Budget Section. Representative Svedjan seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Holmberg, Svedjan, and Hoeven. No nay votes. Motion carried.

3. Centers of Excellence Commission * (Request # 1584)

North Dakota State University – Agbiotechnology: Oilseed Development, \$2,000,000

Secretary Jaeger moved to recommend to the Budget Section. Senator Holmberg seconded the motion. Voting aye were Stenehjem, Berg, Holmberg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

4. Centers of Excellence Commission * (Request # 1585)

Valley City State University – Institute for Customized Business Solutions, \$1,000,000

Secretary Jaeger moved to recommend to the Budget Section. Governor Hoeven seconded the motion. Voting aye were Holmberg, Jaeger, Stenehjem, and Hoeven. Voting nay were Berg and Svedjan. Motion carried.

5. Centers of Excellence Commission * (Request # 1586)

Williston State College - Petroleum Safety and Technology Center, \$400,000

Secretary Jaeger moved to recommend to the Budget Section. Governor Hoeven seconded the motion. Voting aye were Holmberg, Jaeger, Stenehjem, and Hoeven. Voting nay were Svedjan and Berg. Motion carried.

6. **Centers of Excellence Commission * (Request # 1587)**

North Dakota State University – Surface Protection, \$2,000,000

Senator Holmberg moved to recommend to the Budget Section. Representative Svedjan seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, Holmberg, and Hoeven. No nay votes. Motion carried

At 4:00 p.m., at the conclusion of consideration of the Centers of Excellence requests, Governor Hoeven called a recess. The meeting reconvened at 4:07 p.m. Senator Holmberg could not remain for the balance of the meeting and excused himself.

Consideration of Requests Submitted Under N.D.C.C. Chapter 54-16

Note: Under the provisions of N.D.C.C., Chapter 54-16, and if approved by the Emergency Commission, requests marked with an asterisk will be forwarded for review and approval in the meeting of the Legislative Council Budget Section Committee scheduled for March 8, 2006.

1. **Office of Attorney General * (Request # 1570)**

Request transfer of \$97,000 from the state contingency fund and approval for increased spending authority for the school finance litigation line (\$97,000) to cover additional costs incurred defending the state in Williston Public School District No. 1 v. State.

Representative Berg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Svedjan, and Hoeven. No nay votes. Motion carried.

2. **State Historical Society of North Dakota * (Request # 1571)**

Request approval for increased spending authority of \$250,000 to accept funds from the federal Save America's Treasures program for grants line (\$250,000) for the emergency archaeological excavation of Beacon Island – Agate Basin site in Lake Sakakawea.

Representative Berg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Stenehjem, Berg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

3. **Bank of North Dakota * (Request # 1572)**

Request approval for a line item transfer of \$500,000 from salaries line to operating line (\$500,000) to allow for transition from internal to external information technology service providers.

Secretary Jaeger moved for approval. Representative Berg seconded the motion. Voting aye were Berg, Svedjan, Jaeger, Stenehjem, and Hoeven. No nay votes. Motion carried.

4. **Industrial Commission (Request # 1573)**

Request approval for a line item transfer of \$142,000 from oil and gas division contingency funds to salaries and wages line (\$120,000) and operating (\$22,000) under the provisions of Section 18 of Senate Bill 2014 (2005 Session Laws, Chapter 42) and approval for two FTE because of increased number of oil rigs within state.

Representative Berg moved for approval. Senator Stenehjem seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

5. **Department of Transportation * (Request # 1574)**

Request approval for increased spending authority of \$76,260 to accept federal funds from the Safe Routes to Schools (SR2S) program for the highways program – salaries line (\$76,260) to implement SR2S program and approval for one FTE to supervise the program.

Representative Berg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

6. **Department of Human Services * (Request # 1575)**

Request approval for twenty-one FTE for the State Hospital Sex Offender program due to increase in civil commitments beyond estimated number for the 2005/2007 biennium. If savings cannot be generated internally within the agency to cover the additional cost, a deficiency appropriation will be requested by the agency in the next legislative session.

Representative Berg moved for approval with a change from 21 FTE to 11 FTE. Senator Stenehjem seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Svedjan, and Hoeven. No nay votes. Motion carried.

7. **Information Technology Department * (Request # 1576)**

Request approval for increased spending authority of \$500,000 to accept funds from the Bank of North Dakota for salaries line (\$354,000) and operating line (\$146,000) and approval for four FTE to provide software development services for the bank.

Representative Berg moved for approval. Senator Stenehjem seconded the motion. Voting aye were Stenehjem, Berg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

8. **Information Technology Department * (Request # 1577)**

Request approval for increased spending authority of \$8,675,715 to accept funds from the Department of Human Services (DHS) for salaries line (\$1,573,650), operating line (\$6,107,065), and capital assets line (\$995,000) for the Medicaid Management Information System (MMIS) and approval for seventeen FTE to support project developed in conjunction with DHS and MMIS responder, Affiliated Computer Services, Inc. (ACS).

No action was taken on this request.

9. **Department of Agriculture * (Request # 1578)**

Request approval for increased spending authority of \$76,384 to accept state contingency funds (\$58,669) and federal funds from the U. S. Department of Agriculture (\$17,715) for salary line (\$41,860) and operating line (\$34,524) and approval for one FTE to respond to increased demand for state meat inspection services.

Representative Berg moved for approval. Secretary Jaeger seconded the motion. Voting aye were Svedjan, Jaeger, Berg, and Hoeven. Voting nay was Stenehjem. Motion carried.

10. **Department of Emergency Services (Request # 1579)**

Request approval for increased spending authority of \$15,000 to accept federal funds from the Pre-Disaster Mitigation Grant Program for awarding grant to Pembina County.

Representative Berg moved for approval. Senator Stenehjem seconded the motion. Voting aye were Svedjan, Jaeger, Stenehjem, Berg, and Hoeven. No nay votes. Motion carried.

11. Department of Emergency Services * (Request # 1580)

Request approval for increased spending authority of \$1,657,850 to accept federal funds (\$1,465,750) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and proceeds of a loan acquired under the provisions of N.D.C.C. § 37-17-1-23 from the Bank of North Dakota (\$192,100) for operating (\$25,000) and grants line (\$1,632,850) related to the 2005 ice storm.

Representative Berg moved for approval. Representative Svedjan seconded the motion. Voting aye were Jaeger, Stenehjem, Berg, Svedjan, and Hoeven. No nay votes. Motion carried.

12. North Dakota Insurance Department (Request # 1581)

Request approval for increased spending authority of \$15,000 to accept funds from the Insurance Regulatory Trust Fund for operating line (\$15,000) to reimburse outstanding claims for NH3 container locking devices.

Representative Berg moved for approval. Representative Svedjan seconded the motion. Voting aye were Stenehjem, Berg, Svedjan, Jaeger, and Hoeven. No nay votes. Motion carried.

The meeting adjourned at 5:15 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alvin A. Jaeger". The signature is fluid and cursive, with the first name "Alvin" and last name "Jaeger" being clearly legible.

Alvin A. Jaeger
Secretary of State
Secretary to Emergency Commission